



UNITED STATES  
**SECURITIES AND EXCHANGE COMMISSION**  
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NEW YORK, NY 10281-1022

NEW YORK  
REGIONAL OFFICE

February 2, 2021

**BY ECF**

Hon. Joanna Seybert  
United States District Judge  
United States District Court  
for the Eastern District of New York  
100 Federal Plaza, Courtroom 1030  
Central Islip, NY 11722

Re: *SEC v. Nutra Pharma Corp., Erik Deitsch, and Sean Peter McManus*, 18-cv-05459 (JS) (ST)

Dear Judge Seybert:

Plaintiff Securities and Exchange Commission (the “SEC”) respectfully requests, pursuant to Section I(E) of the Court’s Individual Rules and Practices and the Court’s Order dated February 1, 2021, a brief adjournment of the pre-motion conference on February 10, 2021, due to a scheduling conflict.

Yesterday, the Court scheduled a conference on the SEC’s anticipated motion for partial summary judgment for February 10, 2021, at 2:00 p.m. Unfortunately, I am taking a previously-scheduled deposition in another litigation at that time. All Defendants consent to the SEC’s adjournment request and, if granted, all parties would be available for the pre-motion conference on the following dates and times:

- February 23, 2021, between 9:00 a.m. and 10:00 a.m. or between 1:00 p.m. and 5:00 p.m.;
- February 24, 2021, between 2:00 p.m. and 4:00 p.m.; and
- February 26, 2021, between 10:00 a.m. and 12:00 p.m. or between 3:00 p.m. and 5:00 p.m.

This is the first adjournment request concerning this pre-motion conference.

For these reasons, the SEC respectfully requests that the Court grant a brief adjournment of the pre-motion conference.

Respectfully submitted,

/s/ Lee A. Greenwood

Lee A. Greenwood  
Senior Trial Counsel

cc: Carl Schoeppl, Esq. (counsel for defendant Erik Deitsch) (by ECF and email)  
Daniel DeSouza, Esq. (counsel for defendant Nutra Pharma Corp.) (by ECF and email)  
Defendant Sean P. McManus (*pro se*) (by email)